

Docket Number 05-015-1  
Regulatory Analysis and Development  
PPD, APHIS  
Station 3C71  
4700 River Road, Unit 118  
Riverdale, MD 20737-1238

Re: Docket 05-015-1

The following statements are in response to the request for comments on issues addressed in the Draft Strategic Plan and Draft Program Standards for the National Animal Identification System (NAIS).

1. Mandatory program – An effective identification program is necessary to achieve a 48 hour animal traceback. An identification program must be mandatory to provide accurate, timely tracking to an animal's farm of origin.
2. Producers responsible for animal identification - If animals must be identified before they move to a commingling site, enforcement must be done at the commingling site as this will be the first interaction with a person in authority to require identification or deny access. Unless state or USDA personnel are available at the commingling site throughout the off-loading process, the event manager is the person that will allow or deny unloading of the animals.

It is essential for markets to be able to act as tagging agents with minimal requirements for facility or procedural changes to allow them to accept consignments presented without identification. State and federal personnel should be available to assist with the initial implementation of the tagging process in the livestock markets.

Fairs and shows generally have health requirements that exceed the intrastate movement requirement. If the fair or show requires a Certificate of Veterinary Inspection (CVI), the accredited veterinarian should have read and/or applied an animal identification number (AIN) before issuing a CVI. Livestock exhibitors usually receive health requirements along with entry forms and are used to moving animals outside of market channels. They will not generally be as surprised by or reluctant to comply with AIN requirements as producers presenting animals to a livestock market.

USDA and state officials should consider requiring market and show managers to provide information on potential exhibitors or consignments that were denied access for failure to meet NAIS requirements.

3. Option for Tagging Sites - Most people that cannot tag their cattle because of lack of facilities or labor will be planning to send them to a livestock market or buying station. The market or buying station should have the option of providing their customers with a tagging service. Some markets with facilities that are already strained by sale volumes may not be able to add another procedure in their facility without disrupting their sale time. Forcing a producer to use a tagging site that is not located at a market will require the animals to be loaded and unloaded an extra time, will increase the possibility of animal injury, and increase the possibility of escape. USDA and state officials should establish acceptable facility and biosecurity standards for locations approved as tagging sites.

4. Reporting Requirements - The draft program standards addresses reporting requirements for buyer-seller transactions while the strategic plan does not.

If dealers are involved as agents in a transaction, the dealer should record the transfer. Dealers should also report deaths of animals under their control (i.e. died on truck). More detailed guidance will be necessary for dealers involved in three-party and pass through transactions. Dealer compliance can be regulated through the current licensing process and revocation of licensure can be regulatory action.

The system can work if either the buyer or seller is required to report the transaction. Both parties should be able to review records of transactions. Compliance will be largely voluntary with opportunities for enforcement at livestock sales and application for CVIs. Many producers do not use computers. Livestock producers should be able to record AIN and transfers through a system that does not require a computer or internet access. State, USDA, extension offices, and/or private enterprises should be allowed to access the system to record transfers, and user fees for this service should eventually be an option.

Reporting within two days will be essential to insure 48 hour tracebacks. At some time, penalties may be appropriate for failure to record changes of ownership within 48 hours.

5. Timeframe (Age Limit) for Animal Identification - Age verification may be necessary if the ruminant to ruminant feed ban fails to control BSE or to gain access to some international markets. AIN should be required anytime animals are involved in regulatory process (i.e. brucellosis, tuberculosis, scrapie, Equine Infectious Anemia testing, or brucellosis vaccination).

6. Program Implementation Timelines – The implementation guidelines are not realistic because the compliance timelines are not reasonable for a voluntary system. Voluntary compliance will only appeal to people that like to be early adapters and to people that can produce a management, marketing, or animal health benefit from adoption of the program.

It will be impossible to fairly make the process mandatory until we can better describe the process to the affected animal owners. Timelines should not be established until AIN details and processes are defined. At this time, it would be appropriate to set different timelines for pork and commercial poultry (2007), cattle (2009), horses, small ruminants, pet livestock, and non-commercial poultry (>2009).

7. Cost-effective/Efficient Submission of Information - Internet, self registration is the most efficient process when everything works as designed. Frequent Standard Premise Registration System (SPRS) downtime and address exception procedures frustrate people that are not familiar with the system. Most address exception confusion comes from the producer logically not understanding why the address they are using does not match the U.S. Postal Service reference address. Third-party submissions may be efficient if cost effective

The size of the production unit and age of the owner definitely affects the preferred submission methods. A non-computer submission method will give producers, markets, and slaughterhouses a way to do business without having to buy equipment/service they had not previously wanted.

8. Confidentiality of Information – Protecting any information that connects an individual animal to a premise identification number or a business account will resolve many of the producer confidentiality concerns. Confidentiality concerns expressed by Virginia producers relate to access to information that may be used to predict income or animal inventories. Market owners and buyers are concerned about information that will allow buyers or feedlot operators to determine the origin of animals and negotiate purchases directly from the producers.
9. Reporting of Animal Movement - While reporting by one party is adequate, having both the buyer and seller report will improve compliance and accuracy.
10. Privately Managed Database – A fully implemented animal identification system will not be completed by 2009 with a government managed database. It will be impossible to get a NAIS in place if government waits for all of the livestock industries to agree on a single

private database. A single government held system will work best for the state because there will be fewer entities involved in decisions and the availability of information as needed is better assured.

State or federal government should not fund a system for which it does not have immediate, constant access and the ability to audit quality control. Government should decide what it needs, use educational and outreach activities to reduce industry concerns, and legislation to protect the information.

A single private database is a virtual impossibility. If a single private database system emerges, it should be privately funded. Multiple private databases will inhibit response times and should not be allowed unless they provide immediate, constant, fully integrated access to data in a format compatible with USDA and state applications. Multiple, private database efforts should be privately funded.

There should only be one system available because it will be confusing to producers both at the time that they register and when they need to update information. Verifying compliance and data quality will be more difficult with multiple systems.

#### **Additional comments on NAIS Strategic Plan – Draft:**

Regulatory Process: Timeline (page 10) – The timeline is established for publishing the Final Rule in Fall 2007 with effective date of January 2008 for mandatory animal and premises registration. The animal tracking component becomes mandatory in January 2009. States will have to begin to develop regulations for mandatory registration programs and reports before the Final Rule is published.

Key Components: Premises Identification (page 12) – The first sentence, “To track animals, we must know where they are born and where they could be moved” implies that NAIS can be used to identify farms of origin. Will producers be able to refer buyers to NAIS for verification or will source verification be from a private record system?

Stages of Development: Stage II: Premises Identification (page 19) – “The state has a requirement that registered premises update the contact information at least annually.”

Requiring animal contact information updates will be ineffective and costly. Majority of the registrations are not electronic, and producer e-mail addresses change frequently. Most of the update contact will have to be done by telephone or U.S. postal mail which will be labor intensive and expensive with anticipated poor results.

Requiring livestock markets, tagging agents, and other non-producer participants to verify and correct contact information adds to the private sector contribution to NAIS and may slow commerce. NARR should have function to verify or update contact information with SPRS whenever there is any tag activity reported.

A specific definition of “qualifying animal” and practical guidance for “qualifying premises” is needed. It is impossible to have uniform interstate efforts without specific national definition.

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